REMARKS

This Application has been carefully reviewed in light of the Office Action mailed October 20, 2005. At the time of the Office Action, Claims 1-20 were pending in this Application. Claims 1-20 were rejected. Claims 1, 11, 12, and 16 have been amended to further define various features of Applicants' invention. Claims 2, 10, 14, 15, and 19 have been canceled without prejudice or disclaimer. Claim 21 has been added. Applicants respectfully request reconsideration and favorable action in this case.

Rejections under 35 U.S.C. §103

Claims 1-9 and 15-20 were rejected under 35 U.S.C. §103(a) as being unpatentable over Beyda in view of U.S. Patent Application Publication No. 2005/0171775 filed by Sean Doyle. With respect to independent claim 1, Applicants have amended claim 1 and assert that the limitations of amended claim 1 are neither taught nor suggested by the cited references.

A Section 103(a) obviousness rejection is appropriate only when three criteria are met. MPEP § 2143. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in applicants' disclosure. *In re Vaeck*, 947 F.2d 488, 20 U.S.P.Q.2d 1438 (Fed. Cir. 1991).

The cited references do not teach or suggest all elements recited in the claim 1 as amended. The amended claim recites that analyzing the caller voice utterance includes comparing one or more aspects of the caller voice utterance with a voice utterance glossary and "updating the voice utterance glossary with one or more terms associated with the information classification corresponding to the selected menu option." The amendment clarifies that the voice utterance glossary that is updated is used in the analyzing element of

the claim to compare aspects of a user voice utterance. The Office Action indicates that the glossary updating element is taught in paragraphs 0065-0067 of Doyle. The cited portion of Doyle reads as follows:

> [0065] A human operator can interface with transcription software 420 to cause the system to play the selected audio file for the corresponding user utterance, at step 320. Once the audio file is played, the human operator can transcribe the utterance, which enables the system to determine whether or not it has properly recognized the user utterance by comparing the semantic values of what the system recognized versus what the human transcriber heard. Referring to entries included in FIG. 2, for example, an audio file may indicate that the actual utterance by a user was "look up sports news." By looking at text box 230, however, a human operator may see that the voice command as recognized by the system was "look up sports." Further, text box 260 may also provide the following information about the utterance, for example: the time and date the utterance was received or recognized, the confidence level and other threshold settings used in tuning the recognition grammar, the result of recognition, the amount of delay in recognition, and the path and name of the audio file associated with the user utterance.

> [0066] At step 330, after reviewing the provided information for the selected utterance, and after the human operator has transcribed the user utterance, the system determines whether it was properly recognized. If the utterance was properly recognized, then at step 340 it is determined if there are any further utterances in the selected call. If additional utterances are associated with the selected call, the system then returns to step 320 and the next logged utterance is played.

> [0067] If at step 330, it is determined that the user utterance was improperly recognized, then the human operator at step 350 inputs the correct utterance in input box 240 and enters any additional comments or annotations in input box 250, for example. At step 360, information about the analyzed utterance is recorded in a transcription log 430 (see FIG. 4). Entries recorded in transcription log 430 can include the following information, for example: the transcribed utterance, recognized voice command, system results, recognition grammar, and other system settings at the time of recognition, such as the recognition grammar's confidence level.

Nothing in the quoted text teaches updating a voice utterance glossary with one or more terms associated with an information classification corresponding to a selected menu option where the glossary is used to analyze user voice utterances as recited in amended claim 1. The quoted passage merely describes transcribing a recorded utterance, determining

whether the utterance was properly recognized, and, if the utterance was not properly recognized, recording information about the utterance in a log. Recording information about an utterance in a log does not constitute updating a voice glossary with one or more terms associated with an information classification that corresponds to a selected menu option.

Applicants submit, therefore, the cited references do not teach or suggest the limitations of independent claim 1 as amended. Applicants respectfully request the Examiner to reconsider and withdraw the Section 103(a) rejection with respect to amended claim 1 and its dependent claims.

With respect to independent claim 16, Applicants have amended the claim to recite that identifying a user's option selection includes comparing one or more aspects of a user utterance with a user utterance selection glossary. In addition, claim 16 as amended recites associating one or more terms of the user utterance with a menu option task classification and updating the user utterance option selection glossary with the associated terms. Applicants submit that claim 16 as amended recites elements that are neither taught nor suggested by the cited references. The cited references fail to teach or suggest updating a user utterance option selection glossary with one or more terms associated with a menu option task classification. Accordingly, Applicants respectfully request the Examiner to reconsider and withdraw the Section 103(a) rejection of amended claim 16 and its dependent claims. Recording information about an utterance in a log does not constitute updating a user utterance option selection glossary with one or more user utterance terms associated with a menu option task classification. Because the cited references do not teach or suggest the limitations of independent claim 16 as amended, Applicants respectfully request the Examiner to reconsider and withdraw the Section 103(a) rejection of amended claim 16 and its dependent claims.

Rejections under 35 U.S.C. § 102

Claims 10-14 were rejected by the Examiner under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,487,277 issued to William J. Beyda, et al. ("Beyda"). Applicants have canceled claim 10 and amended claims 11-14 to depend on new claim 21.

New claim

Applicants have added new claim 21, which recites a menu generation module and an analyzer module where the analyzer module is operable to access a user utterance glossary to associate user utterances with user options. The analyzer module is further operable to update the user utterance glossary with selected user utterance terms. Claim 21 recites features that are neither taught nor suggested by the cited reference. The cited references fail to teach or suggest updating a user utterance option selection glossary with selected user utterance terms as recited.
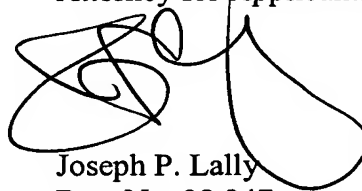
CONCLUSION

Applicants have now made an earnest effort to place this case in condition for allowance in light of the amendments and remarks set forth above. Applicants respectfully request reconsideration of and favorable action for all of the pending claims.

Applicants believe there are no fees due at this time, however, the Commissioner is hereby authorized to charge any fees necessary or credit any overpayment to Deposit Account No. 50-2148 of Baker Botts L.L.P.

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicants' attorney at 512.322.2680.

Respectfully submitted,
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